

IN THE UNITED STATES DISTRICT COURT  
IN THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
CIVIL ACTION NO. 3:10-cv-124

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UNITRIN AUTO AND HOME INSURANCE  
COMPANY,

Plaintiff,

vs.

HERSCHEL R. SMITH, PAMELA SMITH,  
SETH A. SMITH AND DEWY L.  
HINKLEY, JR., AS ADMINISTRATOR OF  
THE ESTATE OF ALEXANDRIA GRACE  
HINKLEY, AND LARRY PUCKETT AS  
ADMINISTRATOR OF THE ESTATE OF  
COURTNEY CAMPBELL PUCKETT,

Defendants.

**DEFAULT JUDGMENT AS TO  
DEFENDANT SETH A. SMITH**

This cause was heard by the undersigned on Motion of Plaintiff for Default Judgment. It appears to the Court upon affidavits and pleadings that this is an action for declaratory relief wherein Plaintiff seeks a determination as to its rights and/or responsibilities to Defendant Seth A. Smith (hereinafter "Defendant Smith") under a certain policy of automobile insurance issued to Defendant Smith by Plaintiff; that personal service was had on Defendant Smith; that the Court has jurisdiction over the subject matter of this action; that Defendant is not under a disability and has failed to plead or appear in the time allowed by law; that default has been properly entered; and it is determined that Plaintiff has no obligation to defend or indemnify Defendant Smith under the policy of insurance; Plaintiff does not provide coverage for the accident in question occurring on October 24, 2009; Plaintiff does not have any legal obligation to Defendant Smith and that Plaintiff is entitled to applicable interest and costs in this action.

Signed: March 11, 2011



Graham C. Mullen  
United States District Judge

